

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:02-00271-02

STEPHANIE NELSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On May 25, 2006, the United States of America appeared by John J. Frail, Assistant United States Attorney, and the defendant, Stephanie Nelson, appeared in person and by her counsel, Jacqueline A. Hallanan, for a hearing on the petition on supervised release submitted by Senior United States Probation Officer Keith E. Zutaut, the defendant having commenced a three-year term of supervised release in this action on July 8, 2005, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on June 30, 2003.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court

found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant violated federal, state and local law by possessing .5 gram of cocaine base on March 14, 2006, for which she was arrested in Ohio on that date; (2) that at the time of her arrest in Ohio the defendant was driving without a valid driver's license; (3) that at the time of her arrest in Ohio the defendant did not have permission to travel outside of the Southern District of West Virginia; and (4) that the defendant left her employment at Tidewater Grill without notifying the probation officer before or after having done so; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense and the intervening conduct of the defendant, that the defendant is in need of correctional treatment which can most effectively be provided if she is confined, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS to be followed by a term of THIRTY (30) MONTHS supervised release, upon the sixteen standard conditions of supervised release in effect in this district and the further condition that the defendant not commit another federal, state or local crime and the special condition that she refrain from associating with convicted felons.

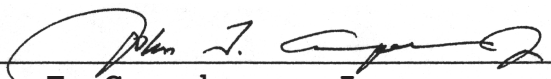
The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be afforded substance abuse counseling and treatment.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the

United States Probation Department, and the United States Marshal.

DATED: June 5, 2006

  
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John T. Copenhaver, Jr.  
United States District Judge